

REMARKS/ARGUMENTS

Claims 3, 13, 17, 19, 37, 38, and 50-51 are active in this application. Claims 50-51 are supported by Claim 19 and the specification as originally filed. No new matter is added.

As amended herein, the claims are directed to an isolated polynucleotide which comprises SEQ ID NO:1, vectors, and host cells containing the same.

Favorable reconsideration of the claims is requested.

Applicants thank Examiner Kerr for the helpful discussion held with Applicants' undersigned representative on August 11, 2004. During this discussion, support for the claims, the prior art, and amendments to the claims were discussed.

The rejection of Claims 40-51 under 35 U.S.C. § 102(e) over US2002/0197605 is obviated by the cancellation of these claims.

The rejection of Claims 40-51 under 35 U.S.C. § 102(a) over EP1108790 is obviated by the cancellation of these claims.

The rejection of Claims 40-43 under 35 U.S.C. § 102(s) over Pompejus et al is obviated by the cancellation of these claims.

The rejection of Claims 10-11 under 35 U.S.C. § 112, second paragraph is obviated by the cancellation of these claims.

The rejection of Claims 18-19 under 35 U.S.C. § 112, second paragraph is addressed by amendment.

The rejections of Claims 40-51 under 35 U.S.C. § 112, first paragraph ("written description" and "enablement") are obviated by the cancellation of these claims.

The rejections of Claim 10 under 35 U.S.C. § 112, first paragraph ("written description" and "enablement") are obviated by the cancellation of this claims.

The objection to Claims 16, 17, 43, 47 and 51 is addressed by the amendment submitted herein.

Applicants request allowance of this application.

Respectfully submitted,

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